Decision for dispute CAC-UDRP-108144

Case number	CAC-UDRP-108144
Time of filing	2025-11-11 09:50:19
Domain names	arcelorrmiital.com

Case administrator

Name	Olga Slanařová (Case admin)

Complainant

Organization	ARCELORMITTAL

Complainant representative

Organization	NAMESHIELD S.A.S.

Respondent

Name	Mads Blak Hedegaard

OTHER LEGAL PROCEEDINGS

The Panel is not aware of any other legal proceedings which are pending or decided and which relate to the disputed domain name.

IDENTIFICATION OF RIGHTS

The Complainant is the owner of the ARCELORMITTAL trademark in different jurisdictions. By way of example, an International trademark with registration number 947686, registered on August 3, 2007.

FACTUAL BACKGROUND

The Complainant is a steel manufacturing company doing business worldwide.

The Panel recognizes the distinctive and well-known character of Complainant´s ARCELORMITTAL trademark.

The Complainant maintains a portfolio of domain names incorporating the ARCELORMITTAL trademark, where <arcelormittal.com> is registered on January 27, 2006 and redirects to its official website.

The disputed domain name <arcelorrmiital.com> was registered on November 5, 2025 and is inactive.

PARTIES CONTENTIONS

THE COMPLAINANT
The Complainant contends that the requirements of the Policy have been met and that the disputed domain name should be transferred to it.
In particular, the Complainant alleges that the disputed domain name consists of a misspelling of the Complainant's ARCELORMITTAL mark, specifically adding the letters "r" and "i" but where the trademark remains recognizable. Thus, the dispute domain name is confusingly similar for the purposes of the first element.

Further, the Complainant contends that none of the circumstances described in paragraph 4 (c) of the Policy applies. Indeed, says the Complainant, the Respondent is not commonly known by the disputed domain name since it is not identified in the Whois database as the disputed domain name and, neither the Respondent has any business with the Complainant. The Complainant also asserts that he has not given to the Respondent a license or authorization to make use of the ARCELORMITTAL trademark or, to apply for registration of the disputed domain name.

Since the ARCELORMITTAL trademark is widely known, the Respondent had knowledge of the Complainant when registering the disputed domain name. Indeed, says the Complainant, the misspelling of its trademark in the disputed domain name is evidence of bad faith registration.

Finally, the Complainant supports a finding of bad faith use based on the inaction of the disputed domain name and also for the activation of the Mail Exchange ("MX") records, which suggests it may be actively used for email purposes.

THE RESPONDENT
No administratively compliant Response has been filed.

RIGHTS

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights (within the meaning of paragraph 4(a)(i) of the Policy).

NO RIGHTS OR LEGITIMATE INTERESTS

The Complainant has, to the satisfaction of the Panel, shown the Respondent to have no rights or legitimate interests in respect of the disputed domain name (within the meaning of paragraph 4(a)(ii) of the Policy).

BAD FAITH

The Complainant has, to the satisfaction of the Panel, shown the disputed domain name has been registered and is being used in bad faith (within the meaning of paragraph 4(a)(iii) of the Policy).

PROCEDURAL FACTORS

The Panel is satisfied that all procedural requirements under UDRP were met and there is no other reason why it would be inappropriate to provide a decision.

PRINCIPAL REASONS FOR THE DECISION

1. Identical or Confusingly Similar

The Complainant has shown rights in respect of the ARCELORMITTAL trademark for the purposes of the Policy. The Panel finds that a misspelling as it occurs in <arcelorrmiital.com> does not avoid confusing similarity for UDRP purposes because Complainant´s trademark is easily recognizable in the disputed domain name. The Respondent simply added "r" and "i" and deleted "t" letters of the Complainant´s trademark, but no distinctiveness was raised from it.

The applicable Top Level Domain ('TLD') in a domain name is viewed as a standard registration requirement and as such is disregarded under the first element test.

The Panel finds the first element of the Policy has been established.

2. Rights or Legitimate Interest

Paragraph 4(c) of the Policy sets out non-exclusive examples in which the Respondent may establish rights or legitimate interests in the disputed domain name. However, while the burden of proof in UDRP proceedings rests on the complainant, panels have recognized that proving a respondent lacks or rights or legitimate interests in a domain name may result in the often-impossible task of "proving a negative". Accordingly, panels have established, since the inception of the UDRP, that it is sufficient to raise a prima facie case against the respondent and then the evidential burden of production shifts to the respondent. See CAC-UDRP-106452

According to the evidence in the file, the Panel finds that none of the circumstances described in paragraph 4(c) of the Policy can be inferred. Besides, having admitted a finding of typosquatting in the disputed domain name, the Panel finds that the clear intent of the Respondent was to give the false impression of being the Complainant. Thus, the Panel cannot find rights or legal interest for the Respondent.

The silence of the Respondent not filing a response, prevents the Panel from pondering any circumstance or evidence to decide otherwise.

The Panel finds the second element of the Policy has been established.

3. Register and Use in Bad Faith

Noting that bad faith under the UDRP is broadly understood to occur where a respondent takes unfair advantage of or otherwise abuses a complainant's mark, the Panel now looks at the third requirement of the test.

In the present case, the Panel finds that the Respondent targeted the Complainant and its trademarks, seemingly for its well-known value. Therefore, the Panel concludes that the Respondent knew or should have known about the Complainant and its trademarks at the time of the registration of the disputed domain name. Thus, the registration was made in bad faith.

Regarding the use of the disputed domain name, the Panel notes the short period of time between the registration of the disputed domain name and the filing of the Complaint. While the Respondent has the right to apply for a domain name on a "first come, first serve basis" under the UDRP, the Complainant has the right to have a brand protection mechanism by using UDRP. Being that as it is, the Panel finds that the circumstances which matter in this case are the well-known value of the ARCELORMITTAL trademark, the targeting of Complainant´s trademark by the Respondent and, the lack of response filed by the Respondent which, all altogether, make that the Complainant has made out a prima facie case for this requirement. Thus, it is the Respondent who should have come forward with evidence to warrant that he complies with the commitments as established in paragraph 2 of the Policy. But what we have in the file is the lack of a credible explanation for the Respondent's choice of the disputed domain or demonstrable preparations to use it in a bona fide manner.

Accordingly, the scenario depicted leads the Panel to apply the Passive Holding Doctrine as requested by the Complainant and, therefore, the registration and use of the disputed domain name was in bad faith.

The Panel finds that the Complainant has established the third element of the Policy.

FOR ALL THE REASONS STATED ABOVE, THE COMPLAINT IS

Accepted

AND THE DISPUTED DOMAIN NAME(S) IS (ARE) TO BE

1. **arcelorrmiital.com**: Transferred

PANELLISTS

Name	**Manuel Moreno-Torres**

DATE OF PANEL DECISION 2025-12-10

Publish the Decision